

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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Illinois Commerce Commission
RAIL SAFETY SECTION

Illinois Central Railroad Company,

Petitioner,

v.

Neoga Township, the City of Neoga and the State of Illinois,
Department of Transportation,

Respondents.

T05-0007

Petition of Illinois Central Railroad Company seeking an order of closure of the at-grade crossings of Cemetery Road/ TR-67 (DOT 289 160P; railroad milepost 185) and TR-85 (DOT 289 161W; railroad milepost 185.65) and the Illinois Central Railroad Company's tracks, and an order of installation of automatic flashers and gates at the crossing of TR-85A (DOT 289 162D; railroad milepost 186.16) and the Illinois Central Railroad Company's tracks, all in Neoga Township, Cumberland County, Illinois.

**SUPPLEMENTAL RESPONSE TO RESPONDENT'S SECOND SET OF
INTERROGATORIES**

Now comes Illinois Central Railroad Company ("IC") with its Supplemental Response to the City of Neoga's Second Set of Interrogatories and states as follows (the Interrogatories are in italics):

INTERROGATORY #1: *Please indicate the following relating to all witnesses whom you expect to call at the Illinois Commerce Commission hearing relating to the above-entitle cause.*

1. *Full Name.*
2. *Home and business address.*
3. *Occupation and employer, if any.*
4. *Home and business telephone numbers.*

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5. *Subject of the witness' testimony*
6. *Source of the witness obtaining the information for such testimony.*
7. *Any tangible evidence to be introduced relating to the witness' testimony.*
8. *Any documents to be introduced as a part of or in conjunction with the witness' testimony.*
9. *A summary of the witness' testimony.*
10. *Any conclusions which have been reached or are expected to have been reached by the time of the hearing.*
11. *A list of all times that the witness has testified in a matter at the request of Petitioner, either in a court of competent jurisdiction or before the Illinois Commerce Commission.*

ANSWER:

1. Joey C. Bellamy
2. Work Address: c/o Counsel for Railroad
17641 S. Ashland Avenue
Homewood, IL 60430
3. Title: Assistant Superintendent Employer: CN
4. Phone: c/o Counsel, 708-332-3954

5. Mr. Bellamy will testify as to the operational conditions of the tracks and crossing, how IC operates on the tracks, and the needs and benefits of the proposed changes.
6. It is not clear what this interrogatory seeks, but Mr. Bellamy will rely on his own personal knowledge and other items to be determined.
7. Not determined at this time.
8. Not determined at this time.
9. Mr. Bellamy will testify as to what the benefits are to the public and to the railroad from crossing closures. He will testify how IC uses the passing siding south of Neoga and the importance of sidings in rail operations. He will describe operations in the area, describe the level of traffic in the area, and the track speeds in the area. He will also discuss his experience with railroad crossings and crossing incidents.
10. Not determined at this time.
11. Unknown at this time.

1. Greg Guthrie
2. Work Address: c/o Counsel for the Railroad
17641 S. Ashland
Homewood, IL 60430
3. Title: Senior Manager, Technical Services Employer: CN
4. Phone: c/o Counsel, 708-332-3954.
5. Mr. Guthrie will testify as to the reasons the Railroad seeks crossing closures, and the benefits to the public and to the railroad from crossing closures, as well as discuss the costs of signals at TR-85A.
6. It is not clear what this interrogatory seeks, but Mr. Guthrie will rely on his own personal knowledge, track charts and maps, engineering studies, and other items to be determined.
7. Not determined at this time.
8. Not determined at this time.
9. Mr. Guthrie will testify as to what the benefits are to the public and to the railroad from crossing closures. He will explain why the safest crossing is no crossing at all and how the railroad and the public will benefit by eliminating forever the risk of a collision. He will describe why these crossings are a good candidate for closure, what alternate routes have been proposed, the status of current warning devices, the ADT of the crossings, and the impact of IC's proposal on current traffic and future development.
10. Not determined at this time.
11. Mr. Guthrie has given both depositions and testimony in rail-related matters.

IC has deleted Mr. Taylor as a witness because he has transferred to another Superintendent job out of state.

Supplementing our earlier disclosures on Mr. Henriksen and Mr. Payne, Mr. Henriksen's summary is as follows: He will explain why the safest crossing is no crossing at all and how the railroad and the public will benefit by eliminating forever the risk of a collision. He will describe why these crossings are a good candidate for closure, what alternate routes have been proposed, the status of current warning devices, the ADT of the crossings, and the impact of IC's proposal on current traffic and future development


Summarizing Mr. Payne's testimony, he will testify as to the work he did for IC related to this docket, describe the plans and estimates put together by his firm, and why the plans and estimates are reasonable.

In addition, IC intends on presenting at least the following exhibits, and reserves the right to present others:

- a. FHWA Guidance on Traffic Control Devices at Highway-Rail Crossings;
- b. Pages from IC's track chart showing IC lines in and around Neoga;
- c. Maps of the area;
- d. Plans and data for the proposed connecting roads and signalization at TR-85A;
- e. Cost estimates for the connecting roads and signals; and
- f. Exhibits showing daily train traffic.

Dated at Homewood, Illinois this 17th day of August, 2005.

ILLINOIS CENTRAL RAILROAD COMPANY

By 
Michael J. Barron, Jr.
Counsel
CN
17641 S. Ashland Avenue
Homewood, IL 60430-1345
Phone: 708-332-3954
Fax: 708-332-3052
ARDC 6228809

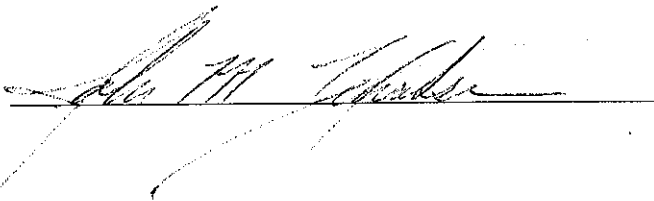
VERIFICATION

State of Illinois)

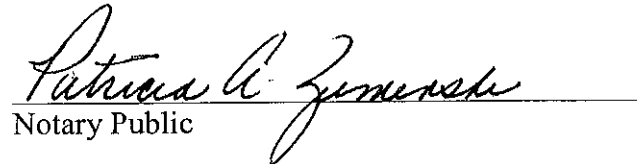
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County of Cook)

John Henriksen, being duly sworn, deposes and says that he is the Manager-Public Works for Illinois Central Railroad Company, that he has read the foregoing Supplemental Response to the City of Neoga's Second Set of Interrogatories and knows the facts asserted therein, and that the same are true as stated.



Subscribed and Sworn to before me this 17th day of August, 2005.



Notary Public



CERTIFICATE OF SERVICE

I, MICHAEL J. BARRON, JR., an attorney, certify that I served the foregoing Supplemental Response to Respondent's Second set of Interrogatories upon the those made parties to this proceeding by enclosing copies of the foregoing in envelopes addressed to the parties as set forth below, postage prepaid, and depositing the envelopes in the United States Mail at 17641 S. Ashland Avenue, Homewood, IL on the 17th day of August, 2005.



Michael J. Barron, Jr.

Mr. Carl M. Webber
Webber & Thies, P.C.
202 Lincoln Square
Urbana, IL 61801

Mr. Ben Bland
Cumberland County Highway Engineer
800 East Industrial Drive
Toledo, IL 62468

Mr. Lloyd A. Lacy
Neoga Township, Supervisor
590a County Road 750N
Neoga, IL 62447

Ms. Doris McKay
Neoga Township, Clerk
88 County Road 1400 N
Neoga, IL 62447

Mr. David D. Johnston
Neoga Township Highway Commissioner
608 County Road 1000 N
Neoga, IL 62447

Mr. Jay Russell
City of Neoga, Mayor
P.O. Box 248
Neoga, IL 62447-0248

Mr. Victor A. Modeer
Director of Highways, IDOT
ATTN: JEFF HARPRING, ROOM 205
2300 South Dirksen Parkway
Springfield, IL 62764

Mr. Michael Stead
Rail Safety Program Administrator
Illinois Commerce Commission
527 E. Capital Avenue
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Ms. Ellen Schanzle-Haskins
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NOTICE OF SERVICE OF DISCOVERY

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202 Lincoln Square
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PLEASE TAKE NOTICE that we have on this 17th day of August, 2005, served a Supplemental Response to Respondent's Second Set of Interrogatories.

ILLINOIS CENTRAL RAILROAD COMPANY

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